THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.19689 of 2005

Date:06.09.2005

Smt. Koyalamudi Indiradevi

----------Petitioner

The Agent to Government, West Godavari District, Eluru and others

----------Respondents

ORDER

The petitioner claims to be the owner of an extent of Ac.1.28 cents of land in R.S.No.68 of Koyarajahmundry Village, Buttaigudem Mandal, West Godavari District. The 2nd respondent initiated proceedings under the A.P.Scheduled Areas Land Transfer Regulation 1 of 1959 as amended by Regulation 1 of 1970 against her. Through order, dated 29.07.2005, he directed eviction of the petitioner and resumption of the land to the Government. The petitioner preferred an appeal before the 1st respondent together with an application for stay. Her grievance is that the 1st respondent is on long leave and it was only recently that the appeal together with the application for stay were received and that no stay order has been passed as yet. She apprehended dispossession in the meanwhile and seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The petitioner availed the remedy of statutory appeal against the order, dated 29.07.2005, passed by the 2nd respondent. If the petitioner is evicted from the land even while the appeal is pending, nothing remains to be decided by the 1st respondent.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, directing that the order, dated 29.07.2005 passed by the 2nd respondent shall remain stayed, till the 1st respondent disposes of the appeal preferred by the petitioner. There shall be no order as to costs.

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06.09.2005

Note: Issue C.C. in two days.

(B/o)

Jsu